



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,020	01/15/2002	William Kress Bodin	AUS920010777US1	5700

34533 7590 04/28/2005

IBM CORP (BLF)
c/o BIGGERS & OHANIAN, LLP
504 LAVACA STREET, SUITE 970
AUSTIN, TX 78701-2856

EXAMINER

LIN, KELVIN Y

ART UNIT PAPER NUMBER

2142

DATE MAILED: 04/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/047,020

Applicant(s)

BODIN ET AL.

Examiner

Kelvin Lin

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/19/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Detailed Action

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 6, and 11 are rejected under 35 USC 102(e) as being anticipated by Morris R., (U.S. Patent No. 6353848).
3. Regarding claim 1, Morris teaches a method of control of collaborative devices, the method comprising the steps of:
 - providing at least two collaborative devices (Morris, col.2, l.45-50), wherein each collaborative device comprises a client device and an embedded Java server (Morris, col.2, l.54-62);
 - providing a registry service to which the collaborative devices are coupled for data communications (Morris, col.11, l.25-27, col.19, l.20);
 - providing at least one registry table (Morris, col.19, l.21), wherein the registry table further comprises registry records, wherein the registry records comprise registry records representing capabilities of

collaborative devices (Morris, col.11, l.41-43), wherein the registry records representing capabilities of collaborative devices further comprise data elements describing, for each collaborative device, capabilities (Morris, col. 11, l.63-67), tertiary relationships (Morris, col. 11, l.35-45), and network connectivities (Morris, col.11, l.48-50);

- providing a service bundle of OSGI-compliant Java servlets comprising at least one predetermined algorithm for controlling the collaborative devices (Morris, col. 7, l.21-26); and
- controlling the collaborative devices in accordance with the predetermined algorithm (Morris, col. 11, l.34-35).

4. Regarding claim 6 has similar limitations as claim 1.

Therefore, claim 6 is rejected for the same reasons set forth in the rejection of claim 1.

5. Regarding claim 11 has similar limitations as claim 1.

Therefore, claim 11 is rejected for the same reasons set forth in the rejection of claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-5, 7-10, and 12-15 are rejected under 35 U.S.C 103(a) as being unpatentable over Morris in view of Yamada et al., (US PG Pub No. 2002/0052913).
7. Regarding claim 2, Morris fails to teach the method of sensor reading explicitly. However, Yamada teaches the method of claim 1 wherein the predetermined algorithm is dedicated to a particular tertiary relationship – encloses the home appliance with sensor (Yamada, [0131], I.7-10, Fig.5), and the predetermined algorithm comprises the further steps of:
 - finding a registry record bearing a set point for the particular tertiary relationship, and reading a sensor value of the particular tertiary relationship, and comparing the set point and the sensor value, wherein the comparing produces a comparison result – that is reading, displaying information, comparing, knowing the refrigerator is beyond the normal operational information. (Yamada, [0131], I.17-18). In any case the front processor is implemented in a home appliance (Yamada, [0131], I.1-2). The front processor has a user interface to

- input the user's instruction and to conduct and other user-related matters (Yamada, [0136], I.1-6) and to prevent the refrigerator from damage.
- Finding, in dependence upon the comparison, a registry record having an identified capability appropriate to the comparison result for the particular tertiary relationship; - the local agent are originally held by the front processor in a local environment and provide guidance (finding) information concerning the PC to the user (Yamada, [0140], I.2-5).
 - Effecting the capability identified in the found registry record. – The registration unit stores the network address of the searched web site to a storage region which send the search to. (Yamada, [0045], I.1-6). The guide presenting unit may be considered when the search pre-processor generates the search condition and response to the client (Yamada, [0157], I.1-3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Morris and Yamada because they both deal with collaborative devices (e.g. Digital Image Device, and Home appliance) over the network.

Furthermore, the teaching of Morris based on access a portable digital image over the network combine with Yamada's user support this system, the server, collaborating with the client, interprets the user request and presents to the client

information necessary to respond the request will increase efficiency for a client computer to access a digital image over the network (Yamada , [0040], 16-19)

8. Regarding claim 3, Yamada further discloses the method of claim 2 wherein effecting the capability identified in the found registry record includes requesting, by use of an HTTP request, a URL identified in the found registry record as a network connectivity (Yamada, [0329], I.1-3, [0332], I.7).
9. Regarding claim 4, Yamada further discloses the method of claim 2 wherein reading a sensor value further comprises the steps of: finding a registry record for a sensor for the particular tertiary relationship (Yamada, [0143], I.1-15).
effecting the capability identified in the found registry record for the sensor (Yamada, [0144], I.1-7).
10. Regarding claim 5, Yamada further discloses the method of claim 4 wherein effecting the capability identified in the found registry record for the sensor includes requesting by use of an HTTP request, a URL identified in the found registry record for the sensor (Yamada, [0329], I.1-3, [0332], I.7).
11. Regarding claims 7-10 have similar limitations as claims 2-5.
Therefore, claims 7-10 are rejected for the same reasons set forth in the rejection of claims 2-5.
12. Regarding claims 12-15 have similar limitations as claims 2-5.
Therefore, claims 12-15 are rejected for the same reasons set forth in the rejection of claims 2-5.

Conclusion

The prior art made of record and not relied upon is considered pertinent to application's disclosure.

- Faris et al., (US Patent No. 6677858) Internet-Based Method of And System for Monitoring Space-Time Coordinate Information and Biophysiological State Information Collected From An Animate Object Along A Course Through The Space-Time Continuum.
- Hesselink et al., (Patent No. 6732158) VCR Webification.
- Salmenkaita et al., (US PG Pub No. 2002/0188589) Method And Business Process to Maintain Privacy in Distributed Recommendation Systems.
- IEEE – Yamazaki et al., Design of collaborative agent system with access control for smart-office environment, Enabling Technologies; Infrastructure for Collaborative Enterprises, 2001, WET ICE 2C, Tenth IEEE International Workshops on 20-22 June 2001, pp.205-210.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898.

The examiner can normally be reached on Flexible 4/9/5.

Art Unit: 2142

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 571-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

04/20/05

KYL


BEATRIZ PRIETO
PRIMARY EXAMINER